

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY H. TURNER,

Petitioner,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS;
COLUMBIA CORRECTIONAL OFFICIALS;
Warden GREGORY GRAM;
Security Director JANEL NICKEL; and
CHRISTINE M. WODILL,

Respondents.

ORDER

08-cv-681-bbc

In an order entered in this case on December 16, 2008, I directed petitioner Anthony Turner to submit no later than January 6, 2009, a \$20.19 initial partial payment of the \$350 fee for filing this case. Now petitioner has submitted a letter dated December 28, 2008, asking for an extension of time to “file his complaint, or pay the initial partial payment of \$20.19.” Petitioner suggests he needs this extension because “his jailhouse lawyer has transfer[red] to another institution.”

It is perplexing why petitioner wants more time to file a complaint, as his complaint was filed on November 24, 2008 and appears to contain his signature. Nevertheless, in the

event that petitioner's jailhouse lawyer mailed the complaint to the court without advising petitioner that he had done so, I am enclosing another copy of the complaint to petitioner with a copy of this order.

Petitioner's request for more time to pay the initial partial payment is equally confusing. A prisoner does not need to consult a jailhouse lawyer to make an initial partial payment. He needs to contact the business office of the prison and ask that the payment be taken from his account and mailed to the court. However, because the deadline set in the December 16 order will expire within the next week, I will extend slightly the time within which petitioner is to submit his payment.

ORDER

IT IS ORDERED that petitioner's request for an enlargement of time in which to submit his complaint in this case is DENIED as unnecessary.

Further, IT IS ORDERED that petitioner may have an enlargement of time to January 20, 2009, in which to submit a check or money order made payable to the clerk of court in the amount of \$20.19. If, by January 20, 2009, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without

prejudice to petitioner's filing his case at a later date.

Entered this 31st day of December, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge